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October 27, 2022

Via ECF

Hon. Phillip M. Halpern
Federal Building and Courthouse
300 Quarropas Street, Room 530
White Plains, New York 10601

**Re: *Gioia, et al. v. Project Veritas, et al.*,
Case No. 22-cv-06710; Response to Motion to Expedite**

Dear Judge Halpern:

We represent Defendants Project Veritas, James O’Keefe, and Tom O’Hara (collectively “PV Defendants”) in this action, and we write in response to the letter filed by Plaintiffs’ counsel yesterday requesting that the Pre-Motion Conference in this matter be held on the same day as the Pre-Motion Conference in *Zappier v. Project Veritas, et al.*, S.D.N.Y. Case No. 22-cv-06709-PMH (in which we represent defendant Project Veritas).

While we are not opposed to holding the conferences in both actions on the same date, we respectfully request that such date be adjourned from November 7, 2022 to November 9 (in the afternoon), November 14 (before 1:00), November 15, or November 17 (after noon) because I am beginning a trial in Supreme Court, Kings County on November 1 and I will likely still be on trial on November 7. We have conferred with Plaintiffs’ counsel regarding this request (and the foregoing proposed dates), and he has consented to it.

For the same reason as set forth above, we respectfully request that the Court adjourn the deadline to produce pre-mediation documents for one week, from November 8, 2022 to November 15, 2022.

No prior request for this relief has been made, and the requested adjournment would not delay any other deadline in this case. We thank the Court for its attention to this matter.

Very truly yours,

/s/ Justin T. Kelton

Justin T. Kelton